APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,189	02/25/2004	Thanh Vinh Vuong	16813-13US	7413

54120   7590   01/19/2011
RESEARCH IN MOTION
ATTN: GLENDA WOLFE
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EXAMINER
COLUCCI, MICHAEL C

ART UNIT	PAPER NUMBER
2626	

NOTIFICATION DATE	DELIVERY MODE
01/19/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

portfolioprosecution@rim.com

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/785,189	VUONG, THANH VINH
	Examiner	Art Unit
	MICHAEL C. COLUCCI	2626

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>05 May 2010</u>.

2a) ☐ This action is **FINAL**.　　2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1,5-9,12,15,16 and 20-25</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1,5-9,12,15,16 and 20-25</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   In view of the Appeal Brief filed on 05/05/2010, PROSECUTION IS HEREBY

REOPENED. Rejection set forth below.

       To avoid abandonment of the application, appellant must exercise one of the

following two options:

       (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply

under 37 CFR 1.113 (if this Office action is final); or,

       (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed

by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and

appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth

in 37 CFR 41.20 have been increased since they were previously paid, then appellant

must pay the difference between the increased fees and the amount previously paid.

       A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by

signing below:

       /Richemond Dorvil/
       Supervisory Patent Examiner, Art Unit 2626

Response to Arguments

2.   Applicant's arguments, see Appeal Brief, filed 05/05/2010, with respect to the

rejection(s) of claim(s) 1, 9, and 12 under 35 U.S.C. 103 have been fully considered and

are persuasive. Therefore, the rejection has been withdrawn. However, upon further

consideration, a new ground(s) of rejection is made in view of Stringham US

20020188670 A1 (hereinafter Stringham). Examiner believes that though Lin teaches

the highlighting of text for translation purposes, Examiner believes that Lin (and

Kugimiya or the combination thereof) does not teach providing one or more prompts,

such that there is one prompt corresponding to each previously translated text and

further where each prompt comprises the corresponding translation *as well* as stopping

the continual monitoring of the text-based communication upon detecting an indication

that the text-based communication is to be sent. Examiner has therefore withdrawn

Kugimiya et al. US 5023786 A (hereinafter Kugimiya). Stringham explicitly teaches

prompting a user to select which portions of a message should be translated prior to

translating and sending a message consistent with that of the present invention (i.e.

message sending, receiving, translation, etc). Please see rejection below.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1, 7-9, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Lin et al. US 6999916 B2 (hereinafter Lin) in view of Stringham US 20020188670

A1 (hereinafter Stringham).

Re claims 1, 9, and 12, Lin teaches in a wireless communications device enabled for communication in a wireless communications network, a method of translating a portion of a text-based communication to be transmitted from the wireless device (Col. 5 lines 55 – Col. 6 line 15), comprising:

sending a translation request, the translation request configured for reception by a translation service means and comprising the text to be translated (Col. 8 lines 5-15 & Fig. 9);

receiving and associatively storing

with the indicated text a translation thereof, from a first language to a second language (Col. 7 lines 26-39 & fig. 7A);

determining which text of the text-based communication is to be translated by continually monitoring the text-based communication for the presence of a trigger symbol, the trigger symbol indicating which text to translate (Fig. 3 highlighting is a form of a trigger)

However, Lin fails to teach

stopping the continual monitoring of the text-based communication upon detecting an indication that the text-based communication is to be sent;

providing one or more prompts, such that there is one prompt corresponding to each previously translated text and further where each prompt comprises the corresponding translation;

sending the text-based communication after a response has been received for each prompt

Stringham teaches an e-mail program 14 may prompt the user by generating a dialog window 82 that asks whether language translation is desired and that may include, for example, two buttons 84, 86 that are selectable using the mouse 26 or keyboard 24. A first of the buttons 84 may be pressed if the user wants the message to be translated and a second of the buttons 86 may be pressed if the user does not want the message to be translated. If the user selects the first button 84, then the e-mail program 14 may cause the method of FIG. 3 to be performed (steps 54-60). If instead the user selects the second button 86, the e-mail program 14 does not translate the message but instead causes the e-mail message to be transmitted to the designated correspondent in an untranslated state and the dialog window 82 may prompt the user to specify whether translation is desired at any time before the e-mail program 14 causes the e-mail message to be translated (before step 78) but preferably after storing the incoming e-mail message in the temporary memory location (after step 64). If the user selects the first button 84 of the dialog window 82, then the e-mail program 14 executes the steps necessary to translate the e-mail message (steps 66-68 and 72-78), stores the translated e-mail message in the user's e-mail inbox (step 70) (Stringham [0022] & Fig. 5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Lin to incorporate receiving and

associatively storing with the indicated text a translation thereof, from a first language to

a second language

   stopping the continual monitoring of the text-based communication upon

detecting an indication that the text-based communication is to be sent;

   providing one or more prompts, such that there is one prompt corresponding to

each previously translated text and further where each prompt comprises the

corresponding translation;

   sending the text-based communication after a response has been received for

each prompt

    as taught by Stringham to allow for a prompt for translation of select portions of

text (Stringham [0022] & Fig. 5), wherein an automatic or user-selected language

translation feature integrated within a message system can handle for instance e-mail

messages transmitted in a foreign language that could now become understandable to

a user or correspondent *without* the need to launch a separate language translation

computer program and *without* the need to enlist the services of a person with language

translation skills, thereby improving the system of Lin to include a built-in translation

routine within the existing message handling program (i.e. without need to launch a

separate language translation via the highlighting of words to be translated for

instance).

Re claim 7, Lin teaches the method of claim 1 comprising maintaining a store of portions of text and respective replacements on said communications device; and using said store to determine the replacement (Col. 4 lines 35-46).

Re claim 8, Lin teaches the method of claim 7 wherein said portions of text and respective replacements are defined by prior translations performed using the communications device (Col. 4 lines 35-46 & Fig. 5).

5.   **Claims 5, 6, 15, 16, and 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin et al. US 6999916 B2 (hereinafter Lin) in view of Stringham US 20020188670 A1 (hereinafter Stringham) further in view of Abir, Eli US 20040122656 A1 (hereinafter Abir).**

Re claims 5 and 15, Lin in view of Stringham fails to teach the method of claim 1 wherein said replacing comprises confirming the replacement (Abir [0302]).

Abir teaches a cut-off point of a chain to be translated as a translation query unit string using the dual-anchor overlap technique is user-defined (user definition of a translation query unit string in the above embodiment is a sentence). For instance, instead of a sentence, the concept can be broadened to require overlapping translations of word strings across both Source and Target Language for all contiguous word strings of a shorter unit (e.g., between punctuation marks) or a longer unit (e.g., a paragraph, including punctuation). Because both the beginning and the end of an overlapped unit will only have one side confirmed by overlap, user-defined criteria when building word

string translations may be more stringent when accepting a first or last word string as a
translation. Moreover, the aspect of the invention that identifies semantically equivalent
word strings can be employed to confirm the translations of any word string (by
providing additional checks of translations of Source and/or Target Language
synonyms).

Therefore, it would have been obvious to one of ordinary skill in the art at the
time of the invention to modify the system of Lin in view of Stringham to incorporate
replacing that comprises confirming the replacement as taught by Abir because to allow
for purposes of using shorter or longer strings with the same meaning to allow for
sentence length definition, wherein redundancy is accomplished if needed through
multiple checks (Abir [0302]).

Re claims 6 and 16, Lin in view of Stringham fails to teach the method of claim 5
wherein confirming the replacement comprises obtaining at least one alternative
replacement from said translation service and wherein said replacing comprises
replacing using a one of the at least one alternative replacement (Abir [0302]).

Abir teaches a cut-off point of a chain to be translated as a translation query unit
string using the dual-anchor overlap technique is user-defined (user definition of a
translation query unit string in the above embodiment is a sentence). For instance,
instead of a sentence, the concept can be broadened to require overlapping translations
of word strings across both Source and Target Language for all contiguous word strings
of a shorter unit (e.g., between punctuation marks) or a longer unit (e.g., a paragraph,

including punctuation). Because both the beginning and the end of an overlapped unit will only have one side confirmed by overlap, user-defined criteria when building word string translations may be more stringent when accepting a first or last word string as a translation. Moreover, the aspect of the invention that identifies semantically equivalent word strings can be employed to confirm the translations of any word string (by providing additional checks of translations of Source and/or Target Language synonyms).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Lin in view of Stringham to incorporate at least one alternative replacement from said translation service and wherein said replacing comprises replacing using a one of the at least one alternative replacement as taught by Abir because to allow for purposes of using shorter or longer strings with the same meaning to allow for sentence length definition, wherein redundancy is accomplished if needed through multiple checks (Abir [0302]).

Re claims 20, 22, and 24, Lin in view of Stringham fails to teach the method of claim 1, wherein a response to a replacement translated portion of text comprises any of:

an 'accept translation' whereby said replacement translated portion of text is used to replace a corresponding original portion of the text based communication (Abir [0343]);

a 'reject translation' whereby an original portion of the text based communication corresponding to said replacement translated portion is retained instead of replacing it with said replacement translated portion of text ([0321]); or

a 'reject and ask for more' whereby a further request for translation of an original portion of text of the text based communication is formulated and sent to the translation service means to obtain one or more further replacement translated portions of text, the method further comprising providing a further prompt to receive a response to said one or more further replacement translated portions of text ([0343]).

Abir teaches the system, through the process, will ultimately not accept a return in the second (Target) language that does not have a naturally fitting connection, i.e., right and left overlaps with the contiguous language segments, with the exception of first and last segments, as described above. Had any Hebrew language return not had an exact overlap with a contiguous Hebrew word string association, it would have been rejected and replaced with the highest ranking Hebrew word string association for that English word string that overlaps with the contiguous Hebrew word strings, or alternative overlapping English word strings (shorter or longer) can be retrieved from the database with their Hebrew translations and tested for exact overlaps in Hebrew.

Abir teaches that word strings are overlapped completely on both left and right sides (except for first and last word strings which only have some additional confirmation through one-sided overlap) the translation candidates for them will not be accepted if incorrect (or correct but for a different surrounding context). The first word string on the left should be independently confirmed by one of the association methods

of the present invention (or manually) as an accurate translation (at least on the un-

overlapped left side of the word string) and the last word string at the end of the

sentence should be independently confirmed as an accurate translation (at least on the

un-overlapped right side). In the above example, either both word strings "the best time

of the" and "jump in the pool" should be confirmed independently as accurate

translations or at least their left and right sides, respectively. These confirmed

translations give accurate end points to anchor the chain of overlapping word string

translation candidates.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the system of Lin in view of Stringham to incorporate

accepting or rejecting a translation and replacing the translating with alternative

possibilities as taught by Abir for the purposes of using shorter or longer strings with the

same meaning to allow for sentence length definition, wherein a more accurate choice

of replacement will be selected relative to automatic system selection with a manual

user confirmation of the replacement (i.e. not necessarily the *best* grammatical choice

but best according to a user's preference) to allow for purposes of using shorter or

longer strings with the same meaning to allow for sentence length definition, wherein

redundancy is accomplished if needed through multiple checks (Abir [0302]).

Re claims 21, 23, and 25, Lin in view of Stringham fails to teach the method of

claim 20, wherein the further prompt enables a selection of one of said one or more

further replacement translated portions of text to replace a corresponding original

portion of the text based communication or to reject all of said one or more further
replacement translated portions of text whereby said corresponding original portion of
text is retained ([0343]).

Abir teaches the system, through the process, will ultimately not accept a return
in the second (Target) language that does not have a naturally fitting connection, i.e.,
right and left overlaps with the contiguous language segments, with the exception of first
and last segments, as described above. Had any Hebrew language return not had an
exact overlap with a contiguous Hebrew word string association, it would have been
rejected and replaced with the highest ranking Hebrew word string association for that
English word string that overlaps with the contiguous Hebrew word strings, or
alternative overlapping English word strings (shorter or longer) can be retrieved from the
database with their Hebrew translations and tested for exact overlaps in Hebrew.

Abir teaches that word strings are overlapped completely on both left and right
sides (except for first and last word strings which only have some additional
confirmation through one-sided overlap) the translation candidates for them will not be
accepted if incorrect (or correct but for a different surrounding context). The first word
string on the left should be independently confirmed by one of the association methods
of the present invention (or manually) as an accurate translation (at least on the un-
overlapped left side of the word string) and the last word string at the end of the
sentence should be independently confirmed as an accurate translation (at least on the
un-overlapped right side). In the above example, either both word strings "the best time
of the" and "jump in the pool" should be confirmed independently as accurate

translations or at least their left and right sides, respectively. These confirmed translations give accurate end points to anchor the chain of overlapping word string translation candidates.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Lin in view of Stringham to incorporate a prompt that enables a selection of one of said one or more further replacement translated portions of text to replace a corresponding original portion of the text based communication or to reject all of said one or more further replacement translated portions of text whereby said corresponding original portion of text is retained as taught by Abir because to allow for the purposes of using shorter or longer strings with the same meaning to allow for sentence length definition, wherein a more accurate choice of replacement will be selected relative to automatic system selection with a manual user confirmation of the replacement (i.e. not necessarily the *best* grammatical choice but best according to a user's preference), and for purposes of using shorter or longer strings with the same meaning to allow for sentence length definition, wherein redundancy is accomplished if needed through multiple checks (Abir [0302]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL C. COLUCCI whose telephone number is

(571)270-1847. The examiner can normally be reached on 8:30 am - 5:00 pm , Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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